

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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ENVIRONMENTAL SERVICES, INC.,

Plaintiff,

-against-

RECYCLE GREEN SERVICES, INC., et al.,

Defendants.  
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**LINDSAY, Magistrate Judge:**

Before the court is the plaintiff's letter application dated July 31, 2014 requesting that the undersigned reconsider its Order dated July 30, 2014, which directed plaintiff to file a RICO statement, and permit plaintiff to provide a response, albeit an untimely response, to defendants Unity Fuels, LLC and Grease Lightning letter motion dated July 22, 2014. Defendants oppose the application. Plaintiff's application is granted.

In light of District Judge Spatt's Memorandum of Decision and Order, dated March 25, 2014, wherein the Court, *inter alia*, denied the defendants' motion to dismiss plaintiff's RICO claims and found that plaintiff's well-pled complaint states all the elements of a substantive RICO claim, the undersigned vacates its Order dated July 30, 2014. To the extent that the defendants need more clarification of issues such as which factual allegations are asserted against each defendant, they can do so during discovery.

Dated: Central Islip, New York  
August 5, 2014

**SO ORDERED:**

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/s/  
ARLENE ROSARIO LINDSAY  
United States Magistrate Judge